

BILL NO. 9901

ORDINANCE NO. 9901

**AN ORDINANCE AMENDING SECTION 6-77(c) OF THE CITY CODE RELATING TO ALCOHOLIC BEVERAGES.**

**WHEREAS**, Section 6-77 of the City Code provides for the hours of sale and consumption of alcoholic beverages by licensed persons within the city and specifically provides in subsection (c) that Sunday sales by the drink at retail are limited to the hours of 1:00 p.m. and 12:00 midnight; and

**WHEREAS**, the State of Missouri provides in Section 311.293 RSMo. for Sunday sales of intoxicating liquor at retail between the hours of 6:00 a.m. Sunday and 1:30 a.m. on Monday; and

**WHEREAS**, city staff proposes to amend the city code to be consistent with state statute and provide that Sunday sales take place between the hours of 6:00 a.m. Sunday and 1:30 a.m. on Monday.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBERLY, MISSOURI TO WIT:**

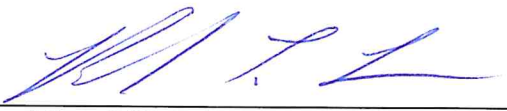
**SECTION ONE:** Chapter 6, Article III, Section 6-77(c) is hereby amended to read as follows:

**Sec. 6-77. Hours of sale and consumption.**

(c) Any person possessing the qualifications of this article may apply for a license to sell intoxicating liquor by the drink at retail for consumption on the premises of any restaurant bar between the hours of 6:00 a.m. on Sundays and 1:30 a.m. on Mondays.

**SECTION TWO:** This Ordinance shall be in full force and effect upon passage by the City Council.

**PASSED AND ADOPTED** by the Council of the City of Moberly, Missouri, this 8<sup>th</sup> day of September, 2025.

  
\_\_\_\_\_  
Presiding Officer at Meeting

**ATTEST:**

  
\_\_\_\_\_  
Shannon Hance, CMC/MRCC, City Clerk

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**Sec. 6-77. Hours of sale and consumption.**

- (a) No person having a license under this chapter, or any employee of such person, except as provided in subsection (b) of this section, shall sell, give away, or otherwise dispose of, or suffer the same to be done upon or about his premises, any intoxicating liquor in any quantity between the hours of 1:30 a.m. and 6:00 a.m. on weekdays and between the hours of 1:30 a.m. Sunday and 6:00 a.m. Monday. If the person has a license to sell intoxicating liquor by the drink, his premises shall be and remain a closed place between the hours of 1:30 a.m. and 6:00 a.m. on weekdays and between the hours of 1:30 a.m. Sunday and 6:00 a.m. Monday.
- (b) Where licenses authorizing the sale of intoxicating liquor by the drink are held by clubs or hotels, subsection (a) of this section shall apply only to the room or rooms in which intoxicating liquor is dispensed; and where such licenses are held by restaurants whose business is conducted in one room only and substantial quantities of food and merchandise other than intoxicating liquors are dispensed, then the licensee shall keep securely locked during the hours and on the days specified in this section, all refrigerators, cabinets, cases, boxes and taps from which intoxicating liquor is dispensed.
- (c) Any person possessing the qualifications of this article may apply for a license to sell intoxicating liquor by the drink at retail for consumption on the premises of any restaurant bar between the hours of 1:00 p.m. and 12:00 midnight on Sunday.
- (d) For purposes of this section, the term "closed place" is deemed to mean a place where all doors are locked and where no patrons are in the place or about the premises.
- (e) Any person violating any provision of this section shall be deemed guilty of a misdemeanor.

(Code 1987, § 3-101; Ord. No. 6320, § 2, 5-21-1990; Ord. No. 6852, §§ 1, 2, 6-15-1992)

State law reference(s)—Hours of sale, RSMo 311.290, 311.097.



Title XX ALCOHOLIC BEVERAGES

Chapter 311

Effective - 28 Aug 2021, 3 histories

311.293. Sunday sales, package liquor licensee allowed, hours, fee — city or county may also charge fee, limitations — exception. — 1. Except for any establishment that may apply for a license under section 311.089, any person possessing the qualifications and meeting the requirements of this chapter, who is licensed to sell intoxicating liquor at retail, may apply to the supervisor of alcohol and tobacco control for a special license to sell intoxicating liquor at retail between the hours of 6:00 a.m. on Sundays and 1:30 a.m. on Mondays. A licensee under this section shall pay to the director of revenue an additional fee of two hundred dollars a year payable at the same time and in the same manner as its other license fees.

2. In addition to any fee collected pursuant to section 311.220, a city or county may charge and collect an additional fee not to exceed three hundred dollars from any licensee under this section for the privilege of selling intoxicating liquor at retail between the hours of 6:00 a.m. on Sundays and 1:30 a.m. on Mondays in such city or county; however the additional fee shall not exceed the fee charged by that city or county for a special license issued pursuant to any provision of this chapter which allows a licensee to sell intoxicating liquor by the drink for consumption on the premises of the licensee on Sundays.

3. The provisions of this section regarding the time of closing shall not apply to any person who possesses a special permit issued under section 311.174, 311.176, or 311.178.

(L. 1993 H.B. 63, A.L. 1994 S.B. 474, A.L. 2003 S.B. 298, A.L. 2012 H.B. 1498, A.L. 2021 S.B. 126)

(2002) Section specifies only the time when liquor can be sold, and not the type of liquor which can be sold. Ozark Wholesale Beverage Company v. Supervisor of Liquor Control, 80 S.W.3d 491 (Mo.App.W.D.).

---- end of effective 28 Aug 2021 ---- use this link to bookmark section 311.293

- All versions

Table with 3 columns: Section Number, Effective, End. Row 1: 311.293, 8/28/2021. Row 2: 311.293, 8/28/2012, 8/28/2021

# City of Moberly City Council Agenda Summary

Agenda Number: #11  
 Department: Administration  
 Date: September 8, 2025

**Agenda Item:** An Ordinance Amending Section 6-77(c) Of The City Code Relating To Alcoholic Beverages.

**Summary:** Section 6-77(c) of the City Code currently permits the sale of alcoholic beverages on Sundays between **1:00 p.m. and Midnight**. However, **Missouri Revised Statute § 311.293** allows licensed establishments to sell alcohol on Sundays from **6:00 a.m. on Sunday until 1:30 a.m. on Monday**, provided the business holds the appropriate state license.

This discrepancy between the city code and state law may create confusion for business owners and potentially limit economic activity for licensed establishments operating within the city.

The purpose of this agenda item is to consider an amendment to **Section 6-77(c)** of the City Code to align the city's permitted Sunday liquor sales hours with those allowed by state statute. The proposed amendment would change the allowable sales hours on Sunday from **1:00 p.m. – Midnight** to **6:00 a.m. Sunday – 1:30 a.m. Monday**, consistent with § 311.293 RSMo.

**Recommended Action:** Approve the ordinance amending Section 6-77(c) of the City Code to align Sunday liquor sales hours with Missouri state law.

**Fund Name:** No financial information associated with this item.

**Account Number:** No account

**Available Budget \$:** No cost to the city

ATTACHMENTS:		Roll Call	Aye	Nay
<input type="checkbox"/> Memo	<input type="checkbox"/> Council Minutes	<b>Mayor</b>		
<input type="checkbox"/> Staff Report	<input checked="" type="checkbox"/> Proposed Ordinance	M___ S___ Lucas	___	___
<input type="checkbox"/> Correspondence	<input type="checkbox"/> Proposed Resolution			
<input type="checkbox"/> Bid Tabulation	<input type="checkbox"/> Attorney's Report	<b>Council Member</b>		
<input type="checkbox"/> P/C Recommendation	<input type="checkbox"/> Petition	M___ S___ Kimmons	___	___
<input type="checkbox"/> P/C Minutes	<input type="checkbox"/> Contract	M___ S___ McKeown	___	___
<input type="checkbox"/> Application	<input type="checkbox"/> Budget Amendment	M___ S___ Graff	___	___
<input type="checkbox"/> Citizen	<input type="checkbox"/> Legal Notice	M___ S___ Skubic	___	___
<input type="checkbox"/> Consultant Report	<input type="checkbox"/> Other _____		Passed	Failed